

Note:

This document contains FAR Part 185 including Amendment 185-3 published in the Federal Register on September 4, 1997.

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PART 185--TESTIMONY BY EMPLOYEES AND PRODUCTION OF RECORDS  
IN LEGAL  
PROCEEDINGS, AND SERVICE OF LEGAL PROCESS AND  
PLEADINGS

Sec.

185.1 Purpose.

185.3 Acceptance of service on behalf of the Secretary of Transportation or the Administrator.

185.5 Testimony by employees and production of records in legal proceedings.

Authority: 49 U.S.C. 106(g), 40113-40114, 46104; 49 CFR part 9.

Source: Docket No. 9900, 34 FR 16622, Oct. 17, 1969, unless otherwise noted.

Sec. 185.1 Purpose.

(a) The purpose of this part is to name the FAA officials who, pursuant to

Part 9 of the regulations of the Office of the Secretary of Transportation

(49 CFR Part 9) as amended (34 FR 11972, July 16, 1969), are those:

(1) Upon whom legal process or pleadings may be served in any legal

proceeding concerning the FAA, and who have authority to acknowledge the

service and take further action thereon; and

(2) Who otherwise perform the functions prescribed by Part 9 in legal

proceedings concerning the FAA with respect to testimony by FAA employees and

production of FAA records in legal proceedings.

(b) For purposes of this part, "legal proceedings" includes any proceeding

before a court of law, administrative board or commission, hearing officer,

or other body conducting a legal or administrative proceeding.

Sec. 185.3 Acceptance of service on behalf of the Secretary

of

Transportation or the Administrator.

Legal process or pleadings in any legal proceeding concerning the FAA may

be served, at the option of the server, on the Chief Counsel, Deputy Chief

Counsel, Assistant Chief Counsel, Litigation Division, of the FAA, or any

other FAA official designated by the Chief Counsel, with the same effect as

if served upon the Secretary of Transportation or the Administrator. The

official accepting the service under this section acknowledges the service

and takes further action as appropriate.

Sec. 185.5 Testimony by employees and production of records in legal

proceedings.

The Chief Counsel, and each Assistant Chief Counsel, each Regional

Counsel, the Aeronautical Center Counsel, and the Technical Counsel Center,

with respect to matters arising within their respective jurisdiction, and any

other FAA official designated by the Chief Counsel, perform the functions in

legal proceedings (other than one described in Sec. 185.3 of this part) as

prescribed by Part 9 of the regulations of the Office of the Secretary of

Transportation, with respect to testimony by FAA employees and production of

FAA records in legal proceedings.

[Doc. No. 9900, 34 FR 16622, Oct. 17, 1969, as amended by Amdt. 185-1, 54 FR

39296, Sept. 25, 1989; Amdt. 185-3, 62 FR 46866, Sept. 4, 1997]